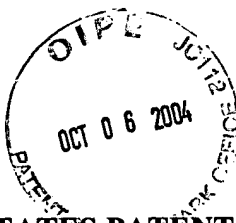


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10-08-04

AF#40

PATENT APPLICATION
Attorney Docket No. 15966-557 (Cura 57)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Richard A. Shimkets
SERIAL NUMBER : 09/494,585 **EXAMINER :** Christine J. Saoud
FILING DATE : January 31, 2000 **ART UNIT :** 1647
FOR: NOVEL FIBROBLAST GROWTH FACTOR AND NUCLEIC ACIDS
ENCODING SAME

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL

In response to the Final Office Action mailed April 7, 2004 and further to the Advisory Action mailed August 25, 2004, Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Examiner's Final Office Action and Advisory Action finally rejecting claims 1, 2, 4, 5, 7-10, 14, 19, 20, 28 and 29 in the above-identified application.

Check No. 19440 in the amount of \$170.00 for filing this appeal is enclosed herewith pursuant to 37 C.F.R. § 1.17(b)(1). A petition and fee for a three-month extension is filed herewith. The Commissioner is authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Ref. No. 15966-557 (Cura 57). A duplicate copy of this Notice is enclosed.

Dated: October 6, 2004

Respectfully submitted,

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